

January 12, 2010

MINUTES OF THE CITY COUNCIL MEETING HELD JANUARY 12, 2010

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, January 12, 2010, at 7:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Brenda S. Pelham
N. Gregory Cuffey, Vice mayor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
Gerald S. Stokes, Councilor
K. Wayne Walton, Councilor

Edwin C. Daley, City Manager
Thomas E. Lacheney, City Attorney
Ann M. Romano, City Clerk

Mayor Pelham opened the meeting at 6:30 PM. Roll call was taken as follows:

Mayor Pelham	-	present
Vice Mayor Cuffey	-	present
Councilor Bailey	-	ABSENT (arrived at 6:32 pm)
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Stokes	-	present
Councilor Walton	-	present

CLOSED SESSION

Motion was made by Vice Mayor Cuffey, and seconded by Councilor Walton, to convene into Closed Session to discuss Legal Matters (Beacon Theatre), Economic Development, Personnel (*Performance Evaluations: City Manager*); and, Boards & Commissions, in accordance with Virginia Code Sec. 2.2-3711 (A)(1) (3) and (7). Upon the roll call, the vote resulted:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	out of the room

OPEN SESSION

At 7:40 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes

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Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

REGULAR MEETING

Mayor Pelham opened the regular meeting at 7:40 PM. Roll call was taken as follows:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

Prayer was offered by Councilor Harris, followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

Motion was made by Councilor Emerson, and seconded by Councilor Harris to approve the Consent Agenda: Minutes: Minutes-City Council Work Session December 1, 2009, and Regular Meeting December 8, 2009; Pending List; Information for Council Review: HRHA cancelled 12/14/09 mtg.; Recreation Commission minutes 12/9/09 & 10/14/09; School Board minutes 12/10/09, 11/11/09, 11/23/09; Hopewell Twinning Assn minutes 11/16/09; ARLS minutes 12/8/09; District 19 CSB minutes 10/22/09; Personnel Change Report & Financial Report; Public Hearings Announcements: none; Routine Approval of Work Sessions: January 26, 2010, 6:30 PM; Ordinances on second and final reading: none; Routine Grant Approval: None; Proclamations/Resolutions/Presentations: Big Brothers Big Sisters; National Mentoring Month. Upon the roll call, the vote resulted.

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

COMMUNITY POLICING

Mayor Pelham invited Police Chief Martin to come forward regarding the Community Policing Program. Chief Martin invited each of the six Community Police Officers to come forward and address Council regarding their individual areas of assignment.

1. Officer Robert Stamper has patrolled the Arlington Heights CPO since March 26, 2009. He has addressed complaints, loud music, speeding, and loitering. He has issued 40 summonses thus far. Street lights that were out have been repaired, and tennis shoes have been removed from the power lines.
2. Officer Lawrence Costello's CPO area is City Point. He has patrolled the corner of Hopewell Street and Broadway, Cornez Manor, and the Kippax High Rise. He has assisted with security at the library and people parking in handicapped spaces who are not handicapped. The City Point Neighborhood Watch has been meeting more frequently, and a new Neighborhood Watch has been formed at Cornez Manor with meetings held at Cornez Manor.

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3. Officer William Waldrep patrols the Memorial CPO area, and has addressed problems with loitering and traffic. During December 2009 he checked buildings in the area, and met with many businesses. They all expressed concern regarding security in the area. He tried to be outside of each business as they were closing, to provide more security. On New Year's Eve he maintained a high visual patrol; there were no robberies in his CPO on that night.
4. Officer Anthony Pulley is in the Liberty Street CPO, which he took over on November 6, 2009. He has met with many citizens. Residents are concerned with: inoperable vehicles, loud music, abandoned property, and street lights being out. He has located 32 inoperable vehicles and made 12 arrests in the area. There are only two street lights that do not work right now. He is trying to get more street lights in the area. He wants to establish a large Neighborhood Watch, reduce traffic violations, and reduce speeding.
5. Officer John Irons has been assigned to the Kippax CPO since July 24, 2009. The traffic on Perrymont Road has been slowed substantially. He helped deliver food and toys to two families in need. On January 20, 2010 he will be moving to the old day care center. He challenged Councilor Stokes to attend the meeting on January 20.

Officer Chris Smith was unable to attend.

Mayor Pelham presented letters of appreciation to each of the officers.

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Mayor Pelham invited the "Big" Sisters and "Little" Sister to come forward. Lindsey Chupak is the new Tri-Cities Coordinator of Big Brothers/Big Sisters, replacing Sarah Gould. Mayor Pelham presented each of the three "Big" and "Little" Sisters with a proclamation.

Diane Leibenow came to Hopewell in 1998. At that time she became a "Big" Sister to Emily Bucciarelli. She credited Emily's mom for allowing her to be a "Big" Sister. It was an enriching experience for her and she encouraged mentoring. Emily has been in BBBS since she was nine years old, and she is now a senior in high school. She appreciated everything her "Big" Sister did for her. Alissa Jackson is now Emily's "Little" Sister and she likes BBBS.

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PROCLAMATION

WHEREAS, January is designated as National Mentoring Month 2010; and

WHEREAS, the campaign's goal is to recruit volunteer mentors to help young people achieve their full potential; and

WHEREAS, to be a mentor, no special skills are needed – just an ability to listen and to offer friendship, guidance, and encouragement to a young person growing up today; and

WHEREAS, there is a senior girl at Hopewell High School, **Emily Bucciarelli**, who was a "little" sister in the Big Brothers/Big Sisters organization for nine years, with **Diane Leibenow**. Emily is now a "big" sister to a student at Patrick Copeland Elementary School in Hopewell, **Alissa Jackson**; and

WHEREAS, Sarah Gould, of the Hopewell Big brothers Big Sisters Organization worked in the City of Hopewell and coordinated this three-generational mentoring match as well as hundreds of other mentoring matches for the children of Hopewell Public Schools; and

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WHEREAS, today's children are the future of our nation and of the world. They will become the teachers, lawyers, doctors, nurses, clerks, mechanics, plumbers, etc. It is our responsibility and obligation to guide them and mentor them to achieve all they can be.

NOW, THEREFORE, BE IT PROCLAIMED BY MAYOR BRENDA S. PELHAM on behalf of the Hopewell City Council that the month of January 2010 is designated

National Mentoring Month

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the city of Hopewell in the Commonwealth of Virginia this 12th day of January 2010.

Brenda S. Pelham, Mayor
City of Hopewell, Virginia

Councilor Walton commented that BBBS is one of the agencies that receive money from the United Way. He urged everyone to donate.

Mayor Pelham publicly thanked Sarah Gould for her work with BBBS before she relocated to North Carolina for another job opportunity.

COMMUNICATIONS FROM CITIZENS

There being no speakers, the Communications from Citizens was closed.

PRESENTATION – 2009 AUDIT REPORT, ANN WALL – ROBINSON, FARMER, COX ASSOCIATES

Ann Wall of Robinson, Farmer, Cox Associates, presented the City's 2009 Audit Report. She described three opinions from the auditors, one in front of the document and the other two in the back. She announced that the City has received the GFOA Award for Excellence for the past 23 years. There was one new accounting standard this year regarding retirees.

CITIZEN/COUNCILOR REQUEST – COUNCILOR BAILEY & COUNCILOR STOKES – ALGAE DEMONSTRATION PROJECT UPDATE

Councilor Stokes indicated that the Algae Program is one of the exciting things about being on City Council. He commended the Legislative Committee: Councilor Bailey, Councilor Harris, and Vice Mayor Cuffey; and Mark Haley and Staff at HRWTF.

Councilor Bailey provided a Legislative Report. The Algae Project dates back to over three years ago when Council talked about R & D and nitrogen removal from wastewater. She worked with legislators on this new algae project. Algae could be turned into bio fuel, which is a "green" way to deal with nitrogen, and potential "green" fuel. She is glad to have this grant.

Mark Haley gave his PowerPoint presentation (filed in the City Clerk's Office). He provided an update on the Nutrient Removal Project. They have been working on this project since the late 1980's and they have reach milestones. There will be a Ribbon Cutting on Thursday, January 14, 2010, at 10:00 A.M. All are invited.

At 8:27 PM Mayor Pelham asked Council to alter the agenda and move the Kit Houses discussion forward allowing Joe Jones, from the College of William & Mary, to return to Williamsburg earlier. There were no objections.

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REGULAR BUSINESS – RESOLUTION ACCEPTING AND APPROVING THE ARCHITECTURAL SURVEY OF MAIL-ORDER KIT HOUSES IN THE “A” VILLAGE, “B” VILLAGE, MANSION HILLS AND CRESCENT HILLS NEIGHBORHOODS OF HOPEWELL, VIRGINIA, PREPARED BY THE COLLEGE OF WILLIAM AND MARY, CENTER FOR ARCHAEOLOGICAL RESEARCH DATED SEPTEMBER 16, 2009

The City of Hopewell requested the College of William & Mary Center for Archaeological Research to undertake a cultural resource assessment to consider the broad range of potentially significant cultural resources within the City in planning decisions with goals that include improving historic interpretation, attracting heritage tourism, and fostering community pride through a shared past. This effort culminated with the development of the Architectural Survey of Mail-Order Kit Houses in the “A” Village, “B” Village, Mansion Hills, and Crescent Hills Neighborhoods of Hopewell, Virginia having been prepared for the City of Hopewell by The College of William and Mary Center for Archaeological Research.

Motion was made by Councilor Walton, and seconded by Councilor Harris to accept and approve the resolution. Upon the roll call, the vote resulted:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

RESOLUTION

WHEREAS, the City of Hopewell requested the College of William & Mary Center for Archeological Research to undertake a cultural resource assessment to consider the broad range of potentially significant cultural resources within the City in planning decisions with goals that include improving historic interpretation, attracting heritage tourism, and fostering community pride through a shared past; and

WHEREAS, this effort culminated with the development of the Architectural Survey of Mail-Order Kit Houses In the A Village, B Village, Mansion Hills, and Crescent Hills Neighborhoods of Hopewell, Virginia having been prepared for the City of Hopewell by William and Mary Center for Archaeological Research; and

WHEREAS, the City of Hopewell desires to accept and approve this Architectural Survey of Mail-Order Kit Houses.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL that the Architectural Survey of Mail-Order Kit Houses in the A Village, B Village, Mansion Hills, and Crescent Hills Neighborhoods of Hopewell, Virginia, dated September 16, 2009, WMCAR Project No. 07-26, be accepted and approved.

REGULAR BUSINESS – RESOLUTION DESIGNATING THE APPOMATTOX RIVER AS A SCENIC RIVER

The Department of Conservation and Recreation completed an evaluation of the Appomattox River, from the current designation at Route 36 to its confluence with the James River, and concluded that the 13 miles of the Lower Appomattox River meets the designation criteria of the Virginia Scenic Rivers Program.

The portion of the Appomattox River, 100 feet from the base of the Lake Chesdin Dam to the Route 36 Bridge in Petersburg, a distance of 6.2 miles, was designated by the Virginia General Assembly as a State Scenic River. The designation of the Appomattox River as a component of the Virginia Scenic Rivers System

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would help facilitate development of active recreation activities along the river. The designation would enhance promotion of the Appomattox River as a regional destination center.

The City Council of the City of Hopewell desires to endorse this proposed designation. The City Council of the City of Hopewell hereby endorses designation of the Appomattox River extension from 100 feet from the base of the Lake Chesdin Dam, to continue to the confluence with the James River at City Point in the City of Hopewell, a total distance of approximately 19.2 miles, as a component of the Virginia Scenic Rivers System.

Councilor Walton introduced the issue. This portion of the Appomattox River is an extension of the Scenic River Designation. Delegate Riley Ingram has put in a bill to support this venture. It is “green” and good for the environment. There has been nothing controversial. There will be trail systems on both sides of the river. FOLAR supports it; and the Scenic River Board supports.

Motion was made by Vice Mayor Cuffey, and seconded by Councilor Harris, to adopt the Resolution to Endorse Extension of the Designation of the Appomattox River as a Component of the Virginia Scenic Rivers System. Upon the roll call, the vote resulted:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

RESOLUTION

A Resolution to Endorse Extension of the Designation of the Appomattox River as a Component of the Virginia Scenic River System.

WHEREAS, the Department of Conservation and Recreation completed an evaluation of the Appomattox River, from the current designation at Route 36 to its confluence with the James River, and concluded that the 13 miles of the Lower Appomattox River meets the designation criteria of the Virginia Scenic Rivers Program; and

WHEREAS, the portion of the Appomattox River, 100 feet from the base of the Lake Chesdin Dam to the Route 36 Bridge in Petersburg, a distance of 6.2 miles, was designated by the Virginia General Assembly as a State Scenic River; and

WHEREAS, the designation of the Appomattox River as a component of the Virginia Scenic Rivers System would help facilitate development of active recreation activities along the river; and

WHEREAS, the designation would enhance promotion of the Appomattox River as a regional destination center; and

WHEREAS, the City Council of the City of Hopewell desires to endorse this proposed designation.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the City Council of the City of Hopewell hereby endorses designation of the Appomattox River extension from 100 feet from the base of the Lake Chesdin Dam, to continue to the confluence with the James River at City Point in the City of Hopewell, a total distance of approximately 19.2 miles, as a component of the Virginia Scenic Rivers System.

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REGULAR BUSINESS – CHANGE HUMAN RESOURCES POLICY TO REPLACE “HEARING PANEL” WITH “HEARING OFFICER”

In accordance with the State Code governing grievance procedures, the City is adopting the provision to use an administrative hearing officer rather than a three-person panel for the final step in the grievance procedure (filed in the City Clerk’s Office). An administrative hearing officer is appointed by the Executive Secretary of the Supreme Court of Virginia. Expected costs for using an administrative hearing officer, on average, will range between \$600 - \$1,200 per grievance.

There was lengthy discussion about the pros and cons of the change.

Motion was made by Councilor Stokes, and seconded by Councilor Bailey, to resolve to amend the City’s grievance procedures to use an administrative hearing officer rather than a three-person panel for the final step in the grievance procedure.

Discussion continued.

A **Substitute Motion** was made by Councilor Emerson, and seconded by Councilor Harris, to table the issue until a Work Session could be schedule to further discuss the issue. Upon the roll call, the vote resulted:

Councilor Walton	-	NO
Mayor Pelham	-	NO
Vice Mayor Cuffey	-	NO
Councilor Bailey	-	NO
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	NO

The vote was 5/2 against tabling the issue.

Upon the roll call on the original motion to resolve to amend the City’s grievance procedures to use an administrative hearing officer rather than a three-person panel for the final step in the grievance procedure, the vote resulted:

Councilor Walton	-	NO
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	NO
Councilor Stokes	-	yes

The vote was 4/3 in favor; motion passed

REGULAR BUSINESS – HERBERT BRAGG, PAC – LEGISLATIVE COMMITTEE REPORT

Mr. Bragg introduced and recognized Hopewell’s Legislative Committee members: Vice Mayor Greg Cuffey, Councilor Christina Luman-Bailey (also a member of VML GO Green Committee), and Councilor Curtis Harris. (The report is filed in the City Clerk’s Office.) Mr. Bragg also distributed copies of the Virginia First Cities 2010 Legislative Agenda.

Motion was made by Councilor Bailey, and seconded by Councilor Harris, to resolve to adopt the 2010 Legislative Committee (filed in the City Clerk’s Office), with potential amendments by the Committee. Upon the roll call, the vote resulted:

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Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

REGULAR BUSINESS - REPORT OF THE CITY ATTORNEY, TOM LACHENEY – ORDINANCE AMENDING THE CITY OF HOPEWELL’S ORDINANCE IMPLEMENTING LOCAL GUIDELINES PURSUANT TO THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002 (PPEA)

Recent amendments of the State code governing the Public-Private Education Facilities and Infrastructure Act make it necessary for Hopewell’s PPEA Ordinance to be changed to reflect those amendments.

Motion was made by Councilor Cuffey, and seconded by Councilor Bailey, to approve Ordinance No. 2010-01 on first reading (filed in the City Clerk’s Office). Upon the roll call, the vote resulted:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

REPORT OF THE CITY CLERK - REGULAR BUSINESS - APPOINTMENTS TO BOARDS AND COMMISSIONS

Motion was made by Councilor Stokes, and seconded by Vice Mayor Cuffey, to accept the resignation of Debbie Cruppenink from the Senior Citizens Advisory Commission and from the Neighborhood Watch Advisory Council, and to send a thank you letter. Upon the roll call, the vote resulted:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

REPORTS OF CITY COUNCIL COMMITTEES

None.

REPORTS OF CITY COUNCIL MEMBERS

Councilor Walton wished everyone a Happy New Year.

Councilor Stokes invited everyone to the Algae Demonstration Project Ribbon Cutting on Thursday, January 14, 2010, at 10:00 AM at HRWTF.

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Councilor Emerson wished everyone a Happy New Year. He thanked everyone for prayers for Pastor Phil Andrews. He had been quite ill and it is great to have him back. Councilor Emerson has started to campaign for reelection in May. He is proud of the past 3-½ years and what has been accomplished. It will take four more years to finish some of those projects. The Bluffs demolition is at the top of his list and support for the Hopewell Police Department. The City is building a stronger Police Department and a stronger Neighborhood Watch. He wants to make this a safe city to live in.

Councilor Bailey also invited everyone to the Ribbon Cutting and indicated that the Secretary of Natural Resources, Preston Bryant, and Delegate Joe Morrissey will attend. Governor Kaine supported this project but is unable to attend. She is happy that some resolutions were adopted: William & Mary – Kit Houses; and the Scenic River Designation. They are all steps to make it possible for Hopewell to get attention from the state and grants for improvement. It eliminates enablers of crime and community decline.

Councilor Harris announced that on Monday, January 18, 2010 the Annual Memorial Breakfast, honoring the late Rev. Dr. Martin Luther King, Jr., will be held at the Baptist Children's Home. Anyone interested in attending may see Councilor Harris for tickets. He indicated that many things have been going on in the city of Hopewell for the last 84 years. He had something to do with a lot of it. He is interested in continuing his efforts on behalf of the citizens of Hopewell by being a candidate for City Council this year. He will elaborate about what he has been doing in the past few years and what he intends to do in the future.

Vice Mayor Cuffey wished everyone a Happy New Year. There are many new opportunities for 2010. He announced that he will run for reelection to City Council in May. He reported that \$1.2M is coming to Hopewell from the Federal Government; fighting street crime; and support for the Hopewell Police Department in every aspect. He looks forward to a hearty campaign.

Mayor Pelham advised Dr. Daley to look at the pending list and plan work sessions to discuss those items and take action, thus removing them from the list. She attended two 80th birthday celebrations on Sunday: Emily Louise Thompson Hicks and Marie D'Ermes Latino (sister of the City Clerk). Citizens were encouraged to contact the City Clerk to have a proclamation for such an occasion. She commended everyone who worked on the Algae Project. She appreciated Councilor Bailey's efforts with the legislators. City employees have a long weekend this Friday and next Monday. Employees (Tevya Griffin, City Planner and Herbert Bragg, PIO/PAC) have coordinated a service project to honor Rev. Dr. Martin Luther King, Jr. They will meet in the Municipal Building parking lot at 10:00 AM on Monday, January 18 to "clean up." All are welcome to help.

Mayor Pelham expressed that the Community Policing is doing a good job. She encouraged citizens to try to mentor someone in the community. The City's youth need direction; get involved. She announced the First Friday Fun Night sponsored by the John Randolph Foundation Wellness Initiative, February 1, 2010, at the Hopewell Community Center, hosted by the Big Brothers/Big Sisters. She read the following inspirational story,

Whenever I'm disappointed with my spot
In life, I stop and think about little
Jamie Scott.

Jamie was trying out for a part in the
School play. His mother told me that he'd set his heart on being
In it, though she feared he would not be chosen.

On the day the parts were awarded, I went
With her to collect him after school.
Jamie rushed up to her,
Eyes shining with pride and excitement. 'Guess what, Mom,' he
Shouted, and then said those words that will remain a lesson to

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me....'I've been chosen to clap and cheer.'

Everyone can play a part in the City of Hopewell. She invited citizens to contact City Council members with any issue they wish to discuss. She wished everyone a Blessed and Happy New Year.

ADJOURN

At 9:30 PM **motion** was made by Councilor Emerson, and seconded by Councilor Walton to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Walton	-	yes
Mayor Pelham	-	yes
Vice Mayor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Stokes	-	yes

Brenda S. Pelham
Mayor

Ann M. Romano, City Clerk